

## **REMARKS**

In the Office Action, claims 1-13 and 15-17 were rejected based on cited art, and claims 1-17 were rejected under the judicially created doctrine of obviousness-type double patenting. Although claim 14 was not specifically indicated as allowable, the Office Action contained no substantive rejection of the claim.

In this Reply and Amendment, claims 1, 8 and 16 have been amended, and claims 1-17 remain pending in the present application. All claim amendments are fully supported throughout the written description and figures of the specification. See, for example, Figures 13-16 and the accompanying description. However, additional support is provided in other figures and in other sections of the specification.

Claims 1, 2, 4-9, 11-13, 16 and 17 were rejected under 35 USC 102(e) as anticipated by the Howell et al. reference, US Patent No. 6,602,059. Independent claims 1, 8 and 16 have been amended to clarify aspects of the invention, and the rejection is believed not applicable to the subject claims.

The Howell et al. reference describes an electrical submersible pump assembly having a submersible pump, a submersible motor and a seal assembly. The seal assembly utilizes a separation tube 90 that provides fluid communication between an oil expansion hole 70 and a lubricant overflow cavity 76 in communication with fluid from a wellbore. The separation tube 90 is formed by a first portion, a second portion and a third portion. The first portion and the third portion are parallel to each other and connected by the second portion. The second portion is formed as an arc extending around a shaft 58. (See column 3, line 24, through column 4, line 6).

However, the Howell et al. reference fails to disclose numerous aspects of amended, independent claims 1, 8 and 16. For example, the reference fails to disclose or suggest a multi-orientable labyrinth assembly having a conduit that extends in "a zigzag pattern and a crisscross pattern to provide operability in the multiple orientations" as recited in independent claim 1. The

reference also fails to disclose or suggest a multi-orientable labyrinth assembly having a conduit extending back and forth "along an interior region and in an arcuate pattern around the interior region to provide operability in the multiple orientations" as recited in independent claim 8. Again, the reference fails to disclose or suggest a method of protecting a motor that utilizes a conduit extending "back and forth in multiple orientations" and providing the "conduit with a filter" as recited in independent claim 16.

Claims 2, 4-7, 9, 11-13 and 17 each ultimately depends from one of the independent claims discussed above. Accordingly, these claims are patentable over the cited reference for both the reasons provided above with respect to the corresponding independent claims as well as for the unique subject matter recited in these dependent claims.

Claims 1-4, 8-10, 16 and 17 were rejected under 35 USC 102(b) as anticipated by the Schaefer et al. reference, US Patent No. 3,384,769. Independent claims 1, 8 and 16 have been amended to clarify aspects of the invention, and the rejection is believed not applicable to the subject claims.

The Schaefer et al. reference describes a modular motor assembly that uses a plurality of motor modules and an auxiliary module 20 having a pressure equalizing apparatus. The auxiliary module 20 includes passageways, such as passageways 293 and tube 294, with tube 294 encircling a shaft 173. (See column 12, line 70, through column 13, line 25).

However, the Schaefer et al. reference fails to disclose numerous aspects of amended, independent claims 1, 8 and 16. For example, the reference fails to disclose or suggest a multi-orientable labyrinth assembly having a conduit that extends in "a zigzag pattern and a crisscross pattern to provide operability in the multiple orientations" as recited in independent claim 1. The reference also fails to disclose or suggest a multi-orientable labyrinth assembly having a conduit extending back and forth "along an interior region and in an arcuate pattern around the interior region to provide operability in the multiple orientations" as recited in independent claim 8. Again, the reference fails to disclose or suggest a method of protecting a motor that utilizes a

conduit extending "back and forth in multiple orientations" and providing the "conduit with a filter" as recited in independent claim 16.

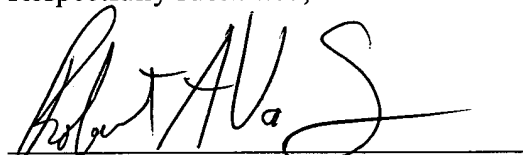
Claims 2-3, 9-10 and 17 each ultimately depends from one of the independent claims discussed above. Accordingly, these claims are patentable over the cited reference for both the reasons provided above with respect to the corresponding independent claims as well as for the unique subject matter recited in these dependent claims.

Claim 15 was rejected under 35 USC 103(a) as unpatentable over either the Howell et al. reference or the Schaefer et al. reference. However, this rejection should be withdrawn, because claim 15 directly depends from independent claim 8 and is patentable for the reasons provided above with respect to claim 8 as well as for the unique subject matter recited in dependent claim 15.

Claims 1-17 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1, 2, 8-10, 14-17, 19 and 20 of US Patent No. 6,688,860. This rejection is respectfully traversed, particularly in light of the amendments to the pending independent claims. If, however, the Examiner maintains this rejection, a terminal disclaimer can be filed upon indication of allowance.

In view of the foregoing remarks, the pending claims are believed patentable over the cited references. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert A. Van Someren', written over a horizontal line.

Robert A. Van Someren  
Reg. No. 36,038

Date: May 18, 2005

PO Box 2107  
Cypress, TX 77410-2107  
Voice: (281) 373-4369